

6700.0700 MINIMUM SELECTION STANDARDS.

Subpart 1. **Selection standards.** An applicant identified by the board as eligible to be licensed or a peace officer currently licensed in Minnesota may apply for a peace officer position with a law enforcement agency. Prior to employment, the law enforcement agency must establish and document that the following minimum selection standards are met by the applicant. The applicant must:

A. be a citizen of the United States or eligible to work in the United States under federal requirements;

B. possess a valid Minnesota driver's license or, when residing in another state, a valid driver's license from that state;

C. provide a complete personal history using a form provided by the law enforcement agency and submit to a thorough background investigation conducted by the agency that meets the requirements of part 6700.0670;

D. not been convicted of:

(1) a felony in Minnesota or an offense in another jurisdiction that would be a felony if committed in Minnesota;

(2) a felony in another jurisdiction, unless the felony has been expunged, set aside, or pardoned, or the person's civil rights have been restored and expressly provides for the possession of a firearm; and

(3) any of the following nonfelony offenses or the equivalent in another jurisdiction:

(a) gross misdemeanor assault in the fifth degree under Minnesota Statutes, section 609.224;

(b) bias crimes, including assaults motivated by bias under Minnesota Statutes, section 609.2231, subdivision 4, and criminal damage to property under Minnesota Statutes, section 609.595, subdivision 2, paragraph (b);

(c) domestic assault under Minnesota Statutes, section 609.2242;

(d) violation of a domestic abuse no contact order under Minnesota Statutes, section 629.75, subdivision 2;

(e) violation of an order for protection under Minnesota Statutes, section 518B.01, subdivision 14;

(f) harassment or stalking under Minnesota Statutes, section 609.749;

(g) violation of a harassment restraining order under Minnesota Statutes, section 609.748, subdivision 6;

(h) sexual extortion under Minnesota Statutes, section 609.3458;

(i) criminal sexual conduct under Minnesota Statutes, sections 609.341 to 609.3451;

- (j) indecent exposure under Minnesota Statutes, section 617.23;
 - (k) any mistreatment of a vulnerable adult, including under Minnesota Statutes, sections 609.2231; 609.231; 609.2325; 609.233; 609.2335; 609.234; and 609.72, subdivision 3;
 - (l) patrons of prostitution under Minnesota Statutes, section 609.324, subdivision 2;
 - (m) making false claims for profit to a public body or officer under Minnesota Statutes, section 609.465;
 - (n) attempting medical assistance fraud under Minnesota Statutes, section 609.466;
 - (o) theft under Minnesota Statutes, section 609.52, except that misdemeanor theft of movable property valued at \$500 or less is not an automatic disqualification;
 - (p) interference with an emergency call under Minnesota Statutes, section 609.78, subdivision 2, clause (1);
 - (q) nonconsensual dissemination of private sexual images under Minnesota Statutes, section 617.261;
 - (r) interference with privacy under Minnesota Statutes, section 609.746;
 - (s) malicious punishment of a child under Minnesota Statutes, section 609.377;
 - (t) mistreating animals under Minnesota Statutes, section 343.21;
 - (u) misconduct of a public officer or public employee under Minnesota Statutes, section 609.43;
 - (v) narcotics or controlled substance law, excluding any nonfelony marijuana offenses; and
 - (w) been required at any point in time to be registered as a predatory offender under Minnesota Statutes, section 243.166 or 243.167, or required to register as a sex offender in any other state at any point in time;
- E. not be listed on the National Decertification Index or have had a law enforcement license, certification, or authorization to serve as a law enforcement officer in any jurisdiction revoked or rescinded;
- F. be free of discriminatory conduct;
- G. have no record of conduct described in part 6700.1600, subpart 1, items H and I, with:
- (1) a hate or extremist group as defined in part 6700.0100, subpart 29; or
 - (2) a criminal gang as defined in Minnesota Statutes, section 609.229, subdivision 1;

H. be fingerprinted, and the fingerprints must be forwarded by the agency to the Bureau of Criminal Apprehension and the Federal Bureau of Investigation. The results of the fingerprint check must be maintained in the background investigation report;

I. be free from any physical condition that would adversely affect the performance of peace officer duties, as established through an exam by a licensed medical professional;

J. have passed a psychological screening that meets the requirements of part 6700.0675; and

K. have completed training equivalent to or exceeding the requirements for emergency medical responder registration under Minnesota Statutes, section 144E.27, subdivision 2, or to be completed within the first six months of employment.

Subp. 1a. **Exempt officers.** An officer with a current active or current inactive license on June 1, 2023, is exempt, as applied to conduct that occurred before June 1, 2023, from minimum selection requirements under items A and B, unless that license was inactive for a period of more than 12 consecutive months at any time after June 1, 2023:

A. subpart 1, item D, subitem (3), units (b), (d) to (j), and (p) to (u); and

B. subpart 1, items E, F, G, and K.

Subp. 1b. **Exempt unlicensed applicants.** Unlicensed applicants who enrolled in a professional peace officer education program or an agency cadet or training program prior to January 1, 2023, and completed the program and passed the licensing exam before December 31, 2028, are exempt from the following minimum selection requirements for conduct that occurred prior to January 1, 2023, when applying for a law enforcement position:

A. subpart 1, item D, subitem (3), units (b), (d) to (j), and (p) to (u); and

B. subpart 1, items E, F, G, and K.

Subp. 2. **Documentation.** The chief law enforcement officer must ensure that documentation necessary to show compliance with subpart 1 is retained by the law enforcement agency for the duration of any resulting employment. If the applicant is not employed by the agency, the background investigation must be retained for six years or as required by the agency's retention schedule, whichever is longer. The documentation is subject to periodic review by the board, and must be made available to the board at its request.

Subp. 3. [Repealed, 18 SR 1961]

Subp. 4. **More rigid standards.** A law enforcement agency may require its applicants to meet more rigid standards than those prescribed in this part.

Statutory Authority: *MS s 214.10; 214.12; 626.84 to 626.863*

History: *11 SR 2337; 14 SR 12; 18 SR 1961; 25 SR 1242; 26 SR 209; 30 SR 903; 47 SR 1120*

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